

Matthew L. Sharp, Esq.  
Nevada Bar No. 4746  
**MATTHEW L. SHARP. LTD.**  
432 Ridge Street  
Reno, Nevada 89501  
Phone: (775) 324-1500  
Email: matt@mattsharplaw.com

*Attorneys for Plaintiffs*

**[Additional Counsel Listed Below]**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MICHAEL RUTH, and OTILDA  
LAMONT, Derivatively on Behalf of  
CANNAVEST CORP.,

## Plaintiffs,

V.

MICHAEL MONA, JR., BART P.  
MACKAY, and LARRY RASKIN,

## Defendants,

and

## CANNAVEST CORP.,

## Nominal Defendant.

Case No.: 2:15-cv-00481-RFB-VCF

## **SCHEDULE FOLLOWING EXPIRATION OF STAY**

Plaintiffs Michael Ruth and Otilda Lamont (“Plaintiffs”) and defendants Michael Mona, Jr., Bart P. Mackay, Larry Raskin, and CV Sciences, Inc., formerly known as CannaVest Corp. (“Defendants”) jointly state:

Plaintiffs filed their Second Amended Shareholder Derivative Complaint (the “Complaint”) against Defendants on May 30, 2018. (Dkt. 51).

This action, and the allegations in the Complaint, involve largely the same facts and issues alleged in the related action styled as *In re: CannaVest Corp., Securities Litigation*” under Case No. 14-cv-2900, filed in the United States District Court for the Southern District of New York (“New York Federal Securities Action”).

This court entered an Order on July 17, 2018, imposing a stay of the action and discovery pursuant to stipulation, until the earlier of (i) the close of fact discovery in the New York Federal Securities Action, or (ii) the deadline for appealing a dismissal of the New York Federal Securities Action with prejudice. (“Stay Order”; Dkt. 54). Under the terms of the Stay Order, Defendants did not need to respond to the Complaint.

On March 31, 2019, the United States District Court for the Southern District of New York entered an order, denying in part and granting in part, the motion to dismiss the New York Federal Securities Action.

On June 28, 2019, the plaintiffs in the New York Federal Securities Action filed a Stipulation of Dismissal with Prejudice.

On July 2, 2019, the United States District Court for the Southern District of New York entered an order dismissing, with prejudice, the New York Federal Securities Action (“Dismissal Order”). The court entered the Dismissal Order pursuant to a stipulation under Federal Rule 41(a), with each party bearing their own costs and fees.

Pursuant to the Stay Order, the parties in this action “Within thirty (30) days of the expiration of the stay,” must “jointly submit to the Court a proposed schedule for further proceedings in this action.” (Dkt. 54, p. 4). Accordingly, the parties propose a schedule of events follows:

1. Defendants' deadline to file and serve a response to the Complaint: September 6, 2019;

1           2. Plaintiffs' deadline to file and serve any opposition to any motion filed  
2           in response to the Complaint: 45 days after the filing of such motion;  
3           3. Defendants' deadline to file and serve any reply to Plaintiffs' opposition:  
4           21 days after the filing of such opposition.

5           The parties propose that additional case management dates be set upon  
6           resolution of any motion filed in response to the Complaint.

7           Dated: August 1, 2019

                 Dated: August 1, 2019

8           **MATTHEW L. SHARP, LTD.**

9           **PROCOPIO, CORY,  
HARGREAVES & SAVITCH, LLP**

11           */s/ Matthew L. Sharp*  
12           Matthew L. Sharp  
13           Nevada Bar No. 4746  
14           432 Ridge Street  
15           Reno, NV 89501  
16           Phone: (775) 324-1500  
17           [matt@mattsharplaw.com](mailto:matt@mattsharplaw.com)

18           and

19           Thomas J. McKenna (Admitted  
20           *pro hac vice*)  
21           **GAINY McKENNA &  
EGLESTON**  
22           440 Park Ave. South, 5th Floor  
23           New York, New York 10016  
24           Phone: (212) 983-1300  
25           Fax: (212) 983-0383  
26           [tjmckenna@gme-law.com](mailto:tjmckenna@gme-law.com)

27           *Counsel for Plaintiffs*

11           */s/ S. Todd Neal*  
12           S. Todd Neal (Admitted *Pro Hac  
Vice*)  
13           Sean M. Sullivan (Admitted *Pro Hac  
Vice*)  
14           525 B. Street, Suite 2200  
15           San Diego, CA 92101  
16           [todd.neal@procopio.com](mailto:todd.neal@procopio.com)  
17           [sean.sullivan@procopio.com](mailto:sean.sullivan@procopio.com)

18           and

19           William R. Urga  
20           Nevada Bar No. 1195  
21           **JOLLEY URGA WOODBURY  
HOLTHUS & ROSE**  
22           330 S. Rampart Blvd., Suite 380  
23           Las Vegas, Nevada 89145  
24           Telephone: 702.699.7500  
25           Facsimile: 702.699.7555  
26           [wru@juwlaw.com](mailto:wru@juwlaw.com)

27           **IT IS HEREBY  
ORDERED that a status  
hearing is scheduled for  
10:00 AM, December 2,  
2019, in Courtroom 3D.**

28           **IT IS SO ORDERED.**



29           **UNITED STATES MAGISTRATE JUDGE**

30           **DATED: August 2, 2019**